

Senate File 115 - Introduced

SENATE FILE 115
BY BOLKCOM and JOCHUM

A BILL FOR

1 An Act requiring that certain housing constructed using public
2 funds incorporate minimum universal design standards
3 relating to accessibility.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 104A.3 Minimum universal design
2 standards — accessibility.

3 1. *Findings.* The general assembly finds and declares
4 it is the policy of this state to encourage the design and
5 construction of affordable homes and apartments that people
6 of all ages and abilities can independently access, enter,
7 and visit. Incorporating universal design features into new
8 construction dramatically reduces the need to make and pay
9 for home modifications that address accessibility and use
10 restrictions related to aging and temporary or long-term
11 injury, illness, or disability.

12 2. *Definitions.* For purposes of this section, unless the
13 context otherwise requires:

14 a. "*New construction*" means housing that is being
15 constructed on-site and did not previously exist in residential
16 or nonresidential form. "*New construction*" does not include the
17 alteration, renovation, or remodeling of an existing structure.

18 b. "*Publicly financed housing*" includes any single-family
19 home, townhouse, duplex, and any other building with three or
20 fewer dwelling units constructed in whole or in part using
21 public funding or assistance provided by or through the state
22 or any political subdivision of the state.

23 3. *Standards.*

24 a. All new construction of publicly financed housing shall
25 incorporate minimum universal design standards in its design
26 and construction.

27 b. The state building code commissioner shall, after
28 consultation with the Iowa finance authority, the Iowa
29 department of economic development, the Iowa civil rights
30 commission, the department on aging, representatives of
31 the homebuilding industry, and advocates for persons with
32 disabilities, adopt rules, pursuant to chapter 17A, to
33 establish minimum universal design standards. The rules shall
34 address, at a minimum, the following subjects:

35 (1) Accessible entrances, doorways, and hallways. At least

1 one entrance shall be accessible and on an accessible route
2 into and through the dwelling.

3 (2) Accessible and adaptable bathrooms. At least one
4 bathroom shall be accessible and adaptable.

5 (3) Accessible electrical, light, and environmental
6 controls.

7 (4) Provisions to allow elements of the minimum universal
8 design standards to be waived for a specific project if
9 strict compliance is determined to be prohibitively costly
10 or technically infeasible. The state agency or political
11 subdivision administering or providing the public funds shall
12 make such determinations and shall report such determinations
13 to the building code commissioner.

14 4. *Enforcement.* The entity by or through which the
15 public funding or assistance for publicly financed housing is
16 administered shall enforce the requirements of this section.
17 This section shall not be construed to require the department
18 of public safety to engage in enforcement activities.

19 5. *Applicability.* The requirements of this section shall
20 apply to any publicly financed housing for which a building
21 permit is requested on or after July 1, 2012.

22 EXPLANATION

23 This bill requires the state building code commissioner to
24 adopt by rule minimum universal design standards relating to
25 accessibility and applicable to publicly financed housing.
26 Publicly financed housing is defined as any single-family home,
27 townhouse, duplex, and any other building with three or fewer
28 dwelling units constructed in whole or in part with public
29 funds.

30 The bill provides that the design standards shall apply
31 to new construction of publicly financed housing for which
32 a building permit is requested on or after July 1, 2012.
33 The bill requires the state building code commissioner to
34 consult with the Iowa finance authority, the Iowa department
35 of economic development, the Iowa civil rights commission,

1 the department on aging, representatives of the homebuilding
2 industry, and advocates for persons with disabilities prior to
3 adopting rules. The bill further provides that the universal
4 design standards shall address accessible entrances, doorways,
5 hallways, bathrooms, and environmental controls, and shall
6 include a waiver provision.

7 The bill provides that enforcement of the bill shall be by
8 the public entity providing the public funds for the housing.